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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ESTATE OF FLORENCE W. SHULMAN; ALAN
M. GOLDBERG, in his capacity as Personal
Representative of the Estate of Florence W.
Shulman; KEVIN SHULMAN in his capacity as
Trustee of the Florence Shulman Pourover Trust;
CARAN RUGA ROSS, in her capacity as Trustee

Adv. Pro. No. 10-04606 (SMB)

of the Florence Shulman Pourover Trust;
FLORENCE SHULMAN POUROVER TRUST, in
its own capacity and in its capacity as a Limited
Partner of FAS Partners, L.P.; FAS PARTNERS,
L.P.; SHULMAN FAMILY CORPORATION, in
its capacity as General Partner of FAS Partners,
L.P.; ALVIN E. SHULMAN POUROVER
TRUST, in its capacity as Limited Partner of FAS
Partners, L.P.; and ALVIN E. SHULMAN, in his
capacity as Trustee for the Alvin E. Shulman
Pourover Trust,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through their counsel, Baker & Hostetler LLP, and (i) The Estate of Alvin Shulman (“Alvin Estate”); (ii) Alan Goldberg, (“Goldberg”), individually and in his capacity as Personal Representative of the Alvin Estate and the Estate of Florence Shulman (“Florence Estate”); (iii) Florence Estate; (iv) Alvin E. Shulman Pourover Trust (“Alvin Trust”); (v) Caran Ruga Ross (“Ross”), individually and in her capacity as Successor Co-Trustee of the Alvin Trust and the Florence Shulman Pourover Trust (“Florence Trust”); (vi) Kevin Shulman (“Shulman”), individually and in his capacity as Successor Co-Trustee of the Alvin Trust and the Florence Trust; (vii) Florence Trust; and (viii) FAS Investment Corporation, sued as the Shulman Family Corporation (“FAS Investment Corp”) (collectively referred to as “Defendants”), by and through their counsel, Bruce Katzen of Kluger, Kaplan, Silverman, Katzen & Levine, P.L. (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against Florence

W. Shulman, individually and in her capacity as Trustee of the Florence Trust, Florence Trust, in its own capacity and in its capacity as a Limited Partner of FAS Partners, L.P.; FAS Partners, L.P., FAS Investment Corp., in its capacity as a General Partner of FAS Partners, L.P., Alvin Trust, in its capacity as a Limited Partner of FAS Partners, L.P., and Alvin E. Shulman, in his capacity as Trustee for the Alvin Trust.

2. Florence W. Shulman died on January 14, 2014.

3. On November 6, 2014, a Stipulation and Order was filed substituting the Florence Estate, Alan M. Goldberg, in his capacity as Personal Representative of the Florence Estate, Kevin Shulman in his capacity as Co-Trustee of the Florence Trust, and Caran Ruga Ross, in her capacity as Co-Trustee of the Florence Trust for Florence W. Shulman, deceased.

4. On September 14, 2015, the Defendants filed and served their Answer to the Complaint on the Trustee.

5. Alvin E. Shulman died on February 26, 2016.

6. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181], the Parties entered into a Settlement Agreement and Release on August 30, 2017.

7. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee's claims against Defendants in the above-captioned adversary proceeding and dismissal of the adversary proceeding with prejudice.

8. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

9. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

10. The Bankruptcy Court shall retain jurisdiction over this Stipulation.

Date: September 29, 2017
New York, New York

BAKER & HOSTETLER LLP

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Dated: **September 29, 2017**
New York, New York

**KLUGER, KAPLAN, SILVERMAN,
KATZEN & LEVINE, P.L.**

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capacity as Personal Representative of the
Estate of Florence W. Shulman, Kevin
Shulman in his capacity as Trustee of the
Florence Shulman Pourover Trust, Caran
Ruga Ross, in her capacity as Trustee of the
Florence Shulman Pourover Trust, Florence
Shulman Pourover Trust, in its own capacity
and in its capacity as a Limited Partner of
FAS Partners, L.P., FAS Partners, L.P.,
Shulman Family Corporation, in its capacity
as General Partner of FAS Partners, L.P.,
Alvin E. Shulman Pourover Trust, in its
capacity as Limited Partner of FAS Partners,
L.P., and Alvin E. Shulman, in his capacity as
Trustee for the Alvin E. Shulman Pourover
Trust*

SO ORDERED:

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein
United States Bankruptcy Judge